

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
 Plaintiff,) 8:23CR237
)
vs.)
)
DUSTIN LEE VITTI TOE,) ORDER
)
)
 Defendant)
)

This matter is before the court on the defendant's Unopposed Motion to Continue Trial [24]. Counsel needs additional time to resolve this matter short of trial. For good cause shown,

IT IS ORDERED that the Unopposed Motion to Continue Trial [24] is granted as follows:

1. The jury trial, now set for May 21, 2024, is continued to **July 23, 2024**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and July 23, 2024**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
3. **No further continuances will be granted without requesting a hearing before the undersigned magistrate judge.**

DATED: May 10, 2024

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge